Y 1.1/5:111-254
Clemson University
3 1604 019 485 277

Calendar No. 524

111TH CONGRESS
2d Session

SENATE

REPORT
111–254

NATIONAL PARK SERVICE AND NORTHWESTERN STATE UNIVERSITY COLLECTIONS CONSERVATION CENTER ACT

AUGUST 5, 2010.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1018]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1018) to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial center for the use of Cane River Creole National Historical Park, the National Center for Preservation Technology and Training, and the University, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Beginning on page 2, strike line 5 and all that follows through page 3, line 17.

2. On page 3, line 18, strike "**3**" and insert "**2**".

3. On page 4, strike lines 14 through 17 and insert the following:

> "(2) USE OF FEE.—Proceeds from the rental fees collected under paragraph (1)(C) shall be available until expended, without further appropriation, for the historical park.
>
> "(3) TERMS OF LEASE.—The Secretary may enter into a lease with the University for a term of not more than 40 years if the land made available by the University under paragraph (1) is leased at a nominal cost to the Secretary.".

4. On page 4, line 18, strike "**4**" and insert "**3**".

89–010

PUBLIC DOCUMENTS
DEPOSITORY ITEM
SEP 08 2010
CLEMSON
2010-3401-P

Purpose

The purpose of S. 1018 is to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial facility to house the museum collection of the Cane River Creole National Historical Park and the National Center for Preservation Technology and Training.

Background and Need

The Cane River Creole National Historical Park museum collection includes over 1,000,000 objects. However, the National Park Service does not have adequate space to house the collection, and most of the items are in leased space that fails to meet National Park Service museum standards, since there is no land in the area that is above the 500-year floodplain.

The park has a longstanding partnership with Northwestern State University. In 1992, the National Center for Preservation Technology and Training (NCPTT) was established at Northwestern University. The center, which is a research division of the National Park Service, was established by Congress in 1994 to advance the use of science and technology in the field of historic preservation. Working in the fields of archeology, architecture, landscape architecture, and materials conservation, the NCPTT accomplishes its mission through training, education, research, technology transfer, and partnerships. The NCPTT requires additional space to house equipment and workspace connected with the development and dissemination of preservation and conservation skills and technologies. The University is willing to make available land suitable for the National Park Service to construct a facility for curatorial and workspace needs.

Legislative History

S. 1018 was introduced by Senator Landrieu on May 11, 2009. The Subcommittee on National Parks held a hearing on the bill on March 17, 2010. The Committee on Energy and Natural Resources considered the bill and adopted amendments to it at its business meeting on June 16, 2010, and ordered S. 1018 favorably reported, as amended, at its business meeting on June 21, 2010.

Committee Recommendation

The Committee on Energy and Natural Resources, in open business session on June 21, 2010, by a voice vote of a quorum present, recommends that the Senate pass S. 1018, if amended as described herein.

Committee Amendments

During the consideration of S. 1018, the Committee adopted amendments that struck the "findings" section, added lease language, and renumbered the subsequent sections. The amendments are explained in detail in the section-by-section analysis, below.

Section-by-Section Analysis

Section 1 provides the short title, the "National Park Service and Northwestern State University Collections Conservation Center Act".

Section 2 amends section 304 the Cane River Creole National Historical Park and National Heritage Area Act (16 U.S.C. 410ccc–2) to include authorization for the Secretary of the Interior to enter into an agreement with Northwestern State University to construct a collections facility on University land. Provisions for fee-based rental of space to the University and lease terms are also included.

Section 3 makes minor technical corrections to the Cane River Creole National Historical Park and National Heritage Area Act.

Cost and Budgetary Considerations

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

S. 1018—National Park Service and Northwestern State University Collections Conservation Center Act

Summary: S. 1018 would authorize the National Park Service (NPS) to enter into an agreement with the Northwestern State University to construct a facility to house the museum collection of the Cane River Creole National Historical Park in Louisiana.

CBO estimates that enacting the bill would increase direct spending by $13 million over the 2011–2015 period. That amount would be spent on the construction of a new facility on land owned by the university. We estimate that managing the facility would not add significantly to the operating budget of the historical park, which is subject to appropriation.

Because enacting the legislation would affect direct spending, pay-as-you-go procedures would apply. Enacting the bill would not affect revenues.

S. 1018 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 1018 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2011	2012	2013	2014	2015	2011–2015
CHANGES IN DIRECT SPENDING						
Estimated Budget Authority	13	0	0	0	0	13
Estimated Outlays	2	3	4	3	1	13

Note: CBO estimates that enacting the legislation would not affect direct spending after 2015.

Basis of estimate: S. 1018 would authorize the NPS to enter into an agreement with the Northwestern State University to build a new facility for the agency on university land. Currently, the park's curatorial collections are housed in other locations within park boundaries. Under the bill, the new facility would be built on university land and also would provide space for the National Center for Preservation Technology and Training (an NPS entity) and the

Williamson Museum collection (owned by the university). If the university rents space in the new facility, it would pay a fee to the NPS, which the agency would be authorized to use without further appropriation for the historical park.

CBO expects that, under the bill, the NPS would enter into an agreement making the agency responsible for the costs of constructing the proposed facility. Because the new facility would be government property, the full cost of that construction should be recorded as new budget authority at the time the agreement is signed. Based on information provided by the NPS, CBO estimates that construction costs would total $13 million over the 2011–2015 period, with no additional direct spending after 2015.

We estimate that the costs of managing the facility would not add significantly to the cost of operating the historical park because the collections to be housed in the new facility are already housed and managed by the NPS onsite. Finally, we estimate that any offsetting receipts collected by the NPS for renting part of the facility to the university (and any resulting direct spending of such amounts) would be insignificant.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget reporting and enforcement procedures for legislation affecting direct spending or revenues. S. 1018 would increase direct spending to construct the new federal facility. The changes in the deficit that are subject to those pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR S. 1018, THE NATIONAL PARK SERVICE AND NORTHWESTERN STATE UNIVERSITY COLLECTIONS CONSERVATION CENTER ACT, AS ORDERED REPORTED BY THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES ON JUNE 21, 2010.

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
	NET INCREASE OR DECREASE (–) IN THE DEFICIT												
Statutory Pay-As-You-Go Impact	0	2	3	4	3	1	0	0	0	0	0	13	13

Intergovernmental and private-sector impact: S. 1018 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Deborah Reis; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Samuel Wice.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Regulatory Impact Evaluation

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1018.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 1018, as ordered reported.

Congressionally Directed Spending

S. 1018, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

Executive Communications

The testimony provided by the National Park Service at the March 17, 2010 Subcommittee hearing on S. 1018 follows:

Statement of Daniel N. Wenk, Deputy Director, National Park Service, Department of the Interior

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 1018, a bill to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial center for the use of Cane River Creole National Historical Park, the National Center for Preservation Technology and Training, and the university, and for other purposes.

The Department supports S. 1018 with amendments described later in this statement. This legislation would authorize an agreement for constructing a facility on land owned by Northwestern State University that would help meet critical needs of the National Park Service. The facility would be known as the Collections Conservation Center.

Located along the Cane River in Natchitoches Parish, Louisiana, Cane River Creole National Historical Park was established by Congress in 1994 to preserve the distinctive architecture and cultural landscapes of the only two, intact French Creole plantations in the United States, and to interpret the complex multicultural history of the Cane River area. The park preserves and protects a total of 67 historic structures at two locations, Magnolia Plantation and Oakland Plantation. Cane River Creole National Historical Park also contains a nationally significant museum collection estimated at more than one million objects, which represent all aspects of French Creole plantation life from the 1700s until the end of the plantation era. Most artifacts are stored in a former bar and restaurant, which is the only space available for lease. Other artifacts are stored in a three-sided historic tractor shed, which is located in the park. Present care and storage of these resources do not meet National Park Service museum standards. Consequently, precious museum objects are at risk of being exposed to inadequate temperature and humidity

controls, periodic roof leaks, insect infestation, theft, and vandalism. A new state-of-the-art curatorial center would address these problems and was discussed in the park's 2001 General Management Plan and its 2003 Museum Collection Management Plan.

The National Center for Preservation Technology and Training is a research division of the National Park Service that was authorized under a 1992 amendment to the National Historic Preservation Act. It is located on the campus of Northwestern State University. In fulfilling its mission, the center conducts innovative conservation and collections management research and advances the use of science and technology in the field of historic preservation. The center has minimal laboratory space to conduct its work and is in need of additional space to house its laser conservation laboratory and materials research program.

Northwestern State University's Williamson Museum houses an archaeological and ethnological museum collection related to the Southeastern Tribes of the United States. Frequently used by tribal members for research on cultural traditions, the museum also serves as a gathering place for tribes and the public during special events. The museum collection is currently inadequately housed and is inaccessible to school groups because of its location in a college classroom building that has no available bus parking nearby.

Northwestern State University has available land that would be suitable for a structure that serves the purposes of the proposed Collections Conservation Center. The university is willing to contribute the use of the land for the center under the condition that the new center includes enough space to house its Williamson Museum collection, contingent on the approval of the Board of Supervisors for the University of Louisiana System. The anticipated cost to construct the center is approximately $12.5 million. Funding to build and operate the center would be subject to the availability of appropriations and NPS priorities.

The land is above the 500-year floodplain, which is the level required for constructing curatorial facilities under National Park Service policies. It is also close to the building on campus used by the National Center for Preservation Technology and Training and it is about two miles away from the Cane River Creole National Historical Park headquarters. The authority for an agreement between the university and the National Park Service for a facility on the university's campus would be another facet of the close relationship between the two entities that was envisioned both in the enabling legislation for the preservation center, which provides for the center to be established on the university's campus, and in the enabling legislation for the park, which provides for a research program to be coordinated with the preservation center and the university.

We recommend that the bill be amended to provide for a lease term of up to 40 years in order to provide maximum flexibility in amortizing the cost of the building, and

to provide that the land at the university be leased to the National Park Service at nominal cost. We would be happy to work with the committee to provide appropriate language for those and other amendments.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or any members of the Subcommittee may have.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act S. 1018 as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT To establish the Quinebaug and Shetucket Rivers Valley National Heritage Corridor in the State of Connecticut, and for other purposes

(Approved November 2, 1994; Public Law 103–449)

* * * * * * *

SEC. 304. ADMINISTRATION.

(a) In General.—The Secretary shall administer the historical park in accordance with this title and with provisions of law generally applicable to units of the National Park System, including the Act entitled 'An Act to establish a National Park Service, and for other purposes', approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4); and the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 461–467). The Secretary shall manage the historical park in such a manner as will preserve resources and cultural landscapes relating to the Creole culture of the Cane River and enhance public understanding of the important cultural heritage of the Cane River region.

* * * * * * *

(e) Research.—The Secretary, acting through the National Park Service, shall coordinate a comprehensive research program on the complex history of the Cane River region, including ethnography studies of the living communities along the Cane River, and how past and present generations have adapted to their environment, including genealogical studies of families within the Cane River area. Research shall include, but not be limited to, the extensive primary historic documents within the Natchitoches and Cane River areas, and curation methods for their care and exhibition. The research program shall be coordinated with Northwestern State University of Louisiana, and the National Center for Preservation [of Technology] *Technology* and Training in Natchitoches.

(f) Collections Conservation Center.—

(1) In general.—The Secretary may enter into an agreement with Northwestern State University (referred to in this subsection as the 'University') to construct a facility on land owned by the University to be used—

(A) to house the museum collection of the historical park;

(B) to provide additional space for use by the National Center for Preservation Technology and Training; and

(C) to provide space to the University for educational purposes relating to the Williamson Museum collection, if the University pays an appropriate rental fee to the National Park Service, as determined in the agreement entered into under this paragraph.

(2) USE OF FEE.—Proceeds from the rental fees collected under paragraph (1)(C) shall be available until expended, without further appropriation, for the historical park.

(3) TERMS OF LEASE.—The Secretary may enter into a lease with the University for a term of not more than 40 years if the land made available by the University under paragraph (1) is leased at a nominal cost to the Secretary.

SEC. 305. ACQUISITION OF PROPERTY.

(a) GENERAL AUTHORITY.—Except as otherwise provided in this section, the Secretary is authorized to acquire lands and [interest] *interests* therein within the boundaries of the historical park by donation, purchase with donated or appropriated funds, or exchange.

* * * * * * *

○